

**2002 Priorities of the Office of Chief Trial Counsel**  
(Presented to the Board of Governors May 4, 2002)

**BACKGROUND**

For 2002 the OCTC will focus on developing the following five areas:

1) Alternative Dispute Resolution (ADR):

ADR for low level infractions should provide a viable and appropriate alternative to the existing options of dismissing a case or filing a Notice of Disciplinary Charges. OCTC is working with the Office of the Executive Director to develop a proposal(s) to submit to the Board by the end of Summer, if not sooner.

2) Drug Court:

OCTC is working with the State Bar Court (SBC) and the Director of the Attorney Diversion and Assistance Program (ADAP) to develop a comprehensive interdisciplinary approach to addressing the problem of substance abuse that is related to attorney misconduct. The proposal should be completed and ready for submission to the Board by the end of Summer, if not sooner.

3) Vertical Prosecution:

As of January 1, OCTC has moved to a "vertical prosecution" model. Simply stated this means that a Deputy Trial Counsel is assigned to a case and oversees it from the moment it becomes an investigation, through trial, settlement or dismissal. In conjunction with the investigator(s) assigned to the case an initial investigation plan is developed and monitored. When the investigation is completed, the assigned Deputy Trial Counsel is responsible for drafting the Notice of Disciplinary Charge and presenting the case to the State Bar Court.

Also beginning January 1 was the implementation of specialty teams in the San Francisco and Los Angeles offices. These two teams are assigned the responsibility of identifying those respondents who constitute the most serious and immediate threat of harm to the public and focusing dedicated staff resources for a swift investigation and prosecution against them.

4) Data Collection:

All data collection mechanisms are under review to identify those areas where the information is not complete or those areas where the information is of little value compared to the time it takes to collect and assemble data. The purpose of the review is to determine how the data can be most effectively used in making resource allocation decisions, OCTC performance evaluation and program development or policy recommendations to the Board.

5) Training:

Ongoing professional development training will be provided to as many OCTC staff as possible, within the restraints of the budget. Most particularly, intake staff will be trained in mediation and customer service. Investigation staff will be further trained in investigation skills. Investigation staff and Trial staff will be trained in use of CASEMAP software. Trial staff will be trained in advocacy skills appropriate to their level of experience. Management staff, including all supervisors, will be trained in performance based management and evaluation.

**FISCAL IMPACT**

It is premature to estimate fiscal impact, although none is expected for any area other than the Alternative Dispute Resolution program. Fiscal impacts there will be included in the proposal submitted to the Board.

**RECOMMENDATION**

This matter was before the Board Planning, Program Development and Budget Committee as its meeting held in Sonoma on March 14, 2002, and the board committee recommends that the Board accept this information report and directs staff to report back to the Board when the proposals for ADR and Drug Court are complete.